

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CASE NO: 3:05-cr-154-A
)	
EDWARD JEROME PATTEN)	

UNOPPOSED MOTION TO EXPEDITE SENTENCING HEARING

COMES NOW the Defendant, **EDWARD JEROME PATTEN**, by his undersigned counsel, Donnie W. Bethel, and respectfully moves this Court to reset his sentencing hearing, which is presently scheduled for February 15, 2006, to a date at the Court's earliest possible convenience. As grounds for granting this Motion, Defendant would show the following:

1. On November 2, 2005, Mr. Patten appeared before United States Magistrate Judge Charles Coody and pled guilty to Count 1 of the Indictment, pursuant to a plea agreement between Mr. Patten and the United States. In that plea agreement the United States agreed that an appropriate sentence is three months imprisonment, if a three-month term of imprisonment falls within the applicable advisory guideline range.

5. United States Probation Officer Terrence Marshall has prepared a Presentence Report (PSR) and submitted it to the parties. Mr. Patten has informed the Probation Officer that he has no objections to the PSR.

6. The PSR reflects that Mr. Patten's guideline imprisonment range is 0 to 6 months; therefore, Mr. Patten's agreed upon sentence of three months imprisonment falls

within the applicable advisory guideline range.

7. Mr. Patten, who has been in jail from October 7, 2005, until the present time, has already served more than three months in jail. Because Mr. Patten has already served more than the term of imprisonment agreed upon in the plea agreement, Mr. Patten respectfully requests that his case be set for sentencing as soon as practicable.

6. Assistant United States Attorney Tommie Hardwick does not oppose this motion.

WHEREFORE, Defendant respectfully requests that his presently scheduled sentencing hearing set for February 15, 2006, be rescheduled for the earliest possible date.

Dated this 30th day of January, 2006.

Respectfully submitted,

s/ Donnie W. Bethel
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CERTIFICATE OF SERVICE

I hereby certify that on January 30th, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tommie Brown Hardwick
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel
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